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Barbara Ann Hartke claims in a lawsuit the dress belongs to her uncle's estate, Rev. Gilbert V. Hartke, who died in 1986.

Eli Branson/@elifromchi

"I met Mercedes McCambridge a few times and my memory is mostly of her fondness for Uncle Gib," Hartke recalled. "He helped her battle alcoholism. ... That was the idea, that this was gifted to Gib from her out of deep appreciation."

Oscar-winner McCambridge, a Garland contemporary who is perhaps best known in the modern era for voicing the demon which possessed Linda Blair's character in "The Exorcist," was the artist in residence at the university from 1972 to 1973.

The "Wizard of Oz" dress, one of only two complete versions of the costume known to still exist, is being offered at a pre-auction estimate of \$800,000 to \$1.2 million. Another of the surviving Dorothy dresses went for more than \$1.5 million in 2015.

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The dress, complete with a short-sleeved blouse of cream organdy and Garland's name written on a label on the inside, was a present from actress Mercedes McCambridge to Hartke's uncle, Rev. Gilbert Hartke.

VIA REUTERS; Courtesy of Bonhams

"There was no effort to reach out to us or any of the family. It was just like it was there, it was found in this box and then immediately we're off to the races and that was that. Was there anything else found?" wondered Hartke, a retired Chicago public school teacher.

Father Hartke, the youngest of seven kids who grew up on the north side of Chicago, died in 1986 at age 79 of a heart condition. He was a well known figure in Washington D.C., counseling presidents from Harry Truman to Jimmy Carter, and mentoring future theater critic Walter Kerr and actors such as Jon Voight and Henry Gibson.

It's been a whirlwind few days for Hartke's remaining family, who learned of the dress auction via news reports, said great-nephew Tony Lehman.

"We're just focusing right now on, 'What's the ownership?'" Lehman, 60, said.

Catholic University "just ignored the family here," said lawyer Anthony Scordo.

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The university added that Father Hartke, as a priest in the Dominican order, had "taken a vow of poverty. He vowed not to receive or accept any gifts as his own personal property, and at the time of his death did not have any tangible items in his estate."

Barbara Hartke says there's no reason to rush the sale.

"It's not going to evaporate," she said of the dress. "I think it's sensible to decide, 'What's the message we want here? What's the tribute to Uncle Gib? To his kindness and also Mercedes McCambridge and the good people who were touched by him. I think all those things have to be considered."

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Bonhams did not respond to a message seeking comment.

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Lost "Dorothy" Dress to be Auctioned for New Catholic University Film Program

Lost "Dorothy" Dress to be Auctioned for New Catholic University Film Program

April 19, 2022



A dress worn by Judy Garland in her role as Dorothy in "The Wizard of Oz" will be auctioned in Los Angeles on May 24, with the proceeds used to help establish a new film acting program at The Catholic University of America's Benjamin T. Rome School of Music, Drama, and Art.

The long-missing dress was discovered at the University in July 2021 while the staff was preparing for the renovation of the Hartke Theatre. It will be featured in the "Bonhams Classic Hollywood: Film and Television" sale. Bonhams, the international auctioneer, estimates the dress's value at \$800,000 to \$1.2 million.

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Mercedes McCambridge, a Hollywood actress and artist-in-residence at Catholic University in 1973, gave the dress to Rev. Gilbert Hartke, O.P., the legendary head of the drama school, but the dress was missing between the late 1980s to 2021.

According to Bonhams, the blue and white gingham dress is one of only two existing dresses retaining the original white blouse and only one of four blue and white pinafore dresses in existence. This Catholic University dress has been matched to a specific scene in the movie: when Dorothy faced the Wicked Witch of the West in the witch's castle.

"Discovering this historic dress was a memorable moment for The Catholic University of America and we are proud to present it for auction, so that the next collector can own a piece of history," said Jacqueline J. Leary-Warsaw, dean of the Rome School. "While parting with this dress is bittersweet, the proceeds are going to help support future generations training for professional careers in theater. It might just be that the funding helps to prepare the next Mercedes McCambridge or Judy Garland!"

Documentation indicates the dress was given to Fr. Hartke with the intention it be used to support the drama department. The proceeds from the auction will endow a faculty chair, a position that will support the current bachelor of fine arts degree in acting for theater, film, and television as well as the development of a new formal film acting program.

Helen Hall, Director of Popular Culture at Bonhams in Los Angeles, said, "Important costumes from this iconic movie rarely appear on the auction market and to be able to pinpoint the scene in which this was worn by Judy Garland is thrilling."

The other dress with blouse was sold by Bonhams in 2015 for over \$1.5 million, a record price for a "Dorothy" dress. The dress from Catholic University will be on view at Bonhams New York (580 Madison Ave.) from April 23 to 29 and at Bonhams Los Angeles (7601 Sunset Blvd.) from May 20 to 24, with the sale on May 24.

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>

An Important Costume worn by Judy Garland as Dorothy in *The Wizard of Oz*

M.G.M., 1939. Designed by Adrian.

The dress worn by Judy Garland as Dorothy Gale throughout the scene set in the Witch's Castle, when the Wicked Witch of the West [Margaret Hamilton] has captured Dorothy and threatens her with death.

Comprising: a blue and white gingham pinafore dress with a fitted bodice and a full skirt, with "handkerchief pocket," two mother-of-pearl buttons to the front and two to the reverse, with a hook-and-eye closure at the back, with fabric label inside inscribed 'JUDY GARLAND 4223', with a short sleeved blouse of cream organdy with a high neck, trimmed at the neck and cuffs with pale blue rickrack trim, the blouse with hook-and-eye closure to the neck and snap closure to the body.

Provenance

Mercedes McCambridge

The Catholic University of America

Footnotes

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The simple blue pinafore and blouse worn by Judy Garland as Dorothy Gale in *The Wizard of Oz* is quite simply one of the most iconic and memorable costumes in the history of American cinema.

This is only the second complete final costume with both blue and white pinafore dress and blouse known to be in existence, and one of only five blue and white versions of the pinafore dress made for the film known to be extant. The other example with the blouse was sold at Bonhams in 2015 and had been retained by Kent Warner during his work with David Weisz Co. on the now infamous 1970 M.G.M. auction. The construction of this dress and blouse is exactly the same as the dress sold in 2015, the hook-and-eye closure and construction being identical, with concealed "handkerchief pocket" to the dress and open hem to the bottom of the blouse which would have held a drawstring to hold the blouse in place.

The gingham fabric of the dress being offered here has distinctive characteristics which can be matched to the dress worn by Judy Garland as Dorothy during the scene where the Wicked Witch of the West has captured Dorothy and turns over the hourglass to count down the time towards her death. The Witch leaves and Dorothy is seen crying and talking to the crystal ball before being rescued by the Tin Woodman, the Cowardly Lion, and the Scarecrow.

Although there has been much speculation, it is unknown how many dresses were in fact made for the film or for publicity purposes but, following extensive study of the film and examination of the distinctive and varying patterns of the blue and white gingham on the bodice of the dress, it appears that perhaps only five blue and white dresses are seen in the final version of the film. In fact, this opinion is corroborated by M.G.M. seamstress, Marian Parker, who recalled, 'My job on *The Wizard of Oz* was Judy Garland's sleeves. We had five or six of those gingham dresses, and Judy was constantly pulling the sleeves out in the back. My job was to get in early in the morning and replace the sleeves on the dresses that had been used the day before'. Indeed, the organdy fabric on the blouse is very delicate, and this example has some damage to the shoulders where the straps of the dress would have rubbed. The blouse offered at Bonhams in 2015 had reinforced shoulders to mitigate this damage. Kent Warner claimed to have found 'at least ten' Dorothy dresses from the film when he was putting together the M.G.M. auction in 1970, but these would have included the differing style of test dresses that were made during the Thorpe and Cukor eras, as well as a muted brown-and-white gingham dress that was used in the opening sepia shots of the movie.

The dress and blouse being offered here were donated to the Catholic University of America, Washington D.C. by actress Mercedes McCambridge in 1973. McCambridge was Artist In Residence at the Drama Department at the Catholic University and reportedly gave the costume to her mentor, Father Hartke, who founded the Department of Drama at the University, one of the first such programs in the U.S. Hartke created a touring company, the National Players, who used the Olney Theatre, Maryland, as their base for many years, putting on many highly successful productions which went on to tour internationally.

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McCambridge credited Father Hartke with helping her through some difficulties with alcoholism and gave the costume to him and the University to benefit the Drama Department. The gift was recorded in an article at the time for the University newspaper, *Tower*, published March 30, 1973. It is unknown where McCambridge came by the costume but anecdotes from people who knew her suggest that McCambridge owned the dress in the mid-1960s and that she had told them that she obtained the costume directly from the M.G.M. Archives when they were having a clear out of their costumes. McCambridge was a radio and television actress in the 1940s before transitioning to television roles and then landing her first film role in *All The King's Men* in 1950, which won her an Academy Award® for Best Actress in a Supporting Role. She was later nominated for an Academy Award® for her role as Luz Benedict in *Giant* in 1957.

Since the 1970s, when Father Hartke took custody of the costume, the dress has had a checkered history. There are numerous photographs of Father Hartke with the costume in the 1970s and early 1980s. During that period, it seems that a student fan of the movie snuck into Hartke's office and snipped a small section of the reverse of the dress as a keepsake. When Father Hartke retired in 1986, the costume passed to successive Drama Department Chairs before going missing in the late 1980s. Despite many searches at the University over the intervening years, it was presumed lost.

During the pandemic, a retired Drama Department professor discovered the dress while going through boxes from his former office. In July 2021, the dress and a note from the professor - 'I found this in my office' - was discovered by staff preparing the Hartke Theater for renovations. The costume is now being sold to benefit the Department of Drama, as McCambridge had originally intended.

Condition Report Available on request.

Literature

- FRICKE, John, SCARFONE, Jay and STILLMAN, William *The Wizard of Oz: The Official 50th Anniversary Pictorial History*, New York: Warner Books, 1989
- STILLMAN, William and SCARFONE, Jay, *The Wizardry of Oz*, New York: Applause Books, 2004
- HARMETZ, Aljean *The Making of The Wizard of Oz*, New York: Limelight Editions, 1984
- THOMAS, Rhys *The Ruby Slippers of Oz: Thirty Years Later*, New York: Tale Weaver, 1989

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121 — A Lady Sylvia Ashley Silver Cigarette Box
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130 — George Hurrell Portfolio II, a set of 8 photographs

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133 — A *Racket Busters* Script

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134 — A Loretta Young and Tyrone Power alternate pose by George Hurrell

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135 — A Final Dialogue Script from *The Plainsman*

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137 — *Sabotage* (aka *The Woman Alone*)

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138 — A group of scripts from *The Ghost of Frankenstein*, *Man-Made Monster*, and others

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Rule of St. Augustine

When St. Dominic first approached Pope Innocent III in 1213 about founding an Order of Preachers, the pope responded with enthusiasm, but with one condition: following a decree of the just-completed Fourth Council of the Lateran, no religious order was allowed to create a new rule of life for itself, so St. Dominic and his brothers would have to decide on a rule already in place in the Church.

When St. Dominic returned to Toulouse with the news, the brothers decided quickly and unanimously to adopt the Rule of St. Augustine.

There were many practical advantages to their choice: the rule is short, with a great degree of adaptability; it was familiar, in that St. Dominic had been living under the rule for years as a canon in Osma; and it was one of the oldest and most venerable rules in use at the time, giving it a valued air of venerability and sanctity.

But there were even more important spiritual advantages to the Rule of St. Augustine. The rule is elegant in its simplicity, addressing the very heart of human desires and needs, showing by prescript and exhortation how men are to live their lives unto God. The rule is also profoundly merciful, while remaining a vibrant challenge to those who live it; the rule expects that men will enter religious life at different personal and spiritual stages, and provides for their individual maturation within the context of the fraternal life. The brothers also embraced the rule's thoroughly apostolic character, and took strength from the patronage of St. Augustine, one of the Church's greatest preachers. But perhaps the most important dimension of the rule is expressed in the opening line: "Before all things, dearly beloved brothers, love God and then your



St. Augustine; painting from the Dominican House of Studies Chapel, Washington, DC (photograph by Fr. Lawrence Lew, O.P.)

neighbor, because these were the first commandments given to us" (*Ante omnia, fratres carissimi, diligatur Deus, deinde proximus, quia ista sunt praecepta principaliter nobis data.*). The life of a Dominican must begin and end with this two-fold love: the love of God that drives his whole person, and the love of neighbor that impels him to preach.

The text of the rule that follows is adapted from George Lawless' translation in *Augustine of Hippo and His Monastic Rule* (Oxford: Clarendon Press, 1987), included in the 2012 volume of the *Constitutions of the Order of Preachers* (Dublin: Dominican Publications).

The Rule of Saint Augustine

Chapter One

Before all things, dearly beloved brothers, love God and then your neighbor, because these were the first commandments given to us.

1. Here are the rules we lay down for your observance, once you have been admitted to the monastery.
2. The chief motivation for your sharing life together is to live harmoniously in the house and to have one heart and one soul seeking God.
3. Do not call anything your own; possess everything in common. Your superior ought to provide each of you with food and clothing, not on an equal basis to all, because all do not enjoy the same health, but to each one in proportion to his need. For you read in the Acts of the Apostles: 'They possessed everything in common', and 'distribution was made to each in proportion to each one's need.'
4. Those who owned anything in the world should freely consent to possess everything in common in the monastery.
5. Those who had nothing should not seek in the monastery possessions which were beyond their reach outside. Allowance should be made for their frailty, however, on the basis of individual need, even if previous poverty never permitted them to satisfy those needs. But they should not consider their present good fortune to consist in the possession of food and clothing which were beyond their means elsewhere.
6. Nor should they put their nose in the air because they associate with people they did not dare approach in the world. Instead they should lift up their heart, and not pursue hollow worldly concerns. Monasteries should not provide advantage for the rich to the

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disadvantage of the poor. Such would be the case if the rich become humble and the poor become proud.

7. But on the other hand, those who enjoyed some measure of worldly success ought not to belittle their brothers who come to this holy society from a condition of poverty. They should endeavour to boast about the fellowship of poor brothers, rather than the social standing of rich relations. They are not to think well of themselves if they have contributed to the common life from their wealth. Sharing their possessions with the monastery ought not to become a greater source of pride than if they enjoyed these goods in the world. As a matter of fact, every other vice produces evil deeds with a view to doing evil, but pride sets a trap for good deeds as well with a view to destroying them. What benefit is there in giving generously to the poor and becoming poor oneself, if the pitiful soul is more inclined to pride by rejecting riches than by possessing them?

8. Live then, all of you, in harmony and concord; honour God mutually in each other; you have become His temples.

Chapter Two

1. Be assiduous in prayer at the scheduled hours and times.
2. No one has any business in the prayer-room apart from the particular purpose which it serves; that is why it is called the oratory. Consequently, if some wish to pray even outside the scheduled periods, during their free time, they should not be deterred by people who think they have some other task there.
3. When you pray to God in psalms and hymns, the words you speak should be alive in your hearts.
4. Keep to the prescribed text when you sing; avoid texts which are not suited for singing.

Chapter Three

1. To the extent that your health allows, subdue your flesh by fasting and abstinence from food and drink. If anyone is unable to fast, let him at least take no food between meals, unless he is sick.
2. Listen to the customary reading from the beginning to the end of the meal without commotion or arguments. Food is not for the mouth alone; your ears also should

hunger for the Word of God.

3. No one is to be annoyed, nor should it seem to be unjust, when a special diet is provided for brothers whose health has been adversely affected by their former status in life. A different background endows some people with greater physical strength. These should not consider others fortunate because they see concessions granted to their brothers and not to themselves. Let them be thankful rather that they have the strength to endure what others cannot.

4. If food, clothes, a mattress, or blankets are given to those who come to the monastery from a more comfortable manner of life, the more robust individuals, to whom such things are not given and who are on this account more fortunate, ought to recall how much affluent people have altered their lifestyle in order to embrace the present one, even though the frugality practised by the stronger brothers continues to elude them. No one should desire the extras given to a few, more out of tolerance than out of deference. Deplorable disorder would occur, if the monastery provided a setting, to the extent that it is possible, where the wealthy become workers, while the poor become pampered.

5. Sick people necessarily take less food so as not to aggravate their condition. During convalescence they are to receive such care as will quickly restore their health, even if they come from the lowest level of poverty in the world. Recent illness has afflicted them with the same frailty which the wealthy possess from their previous manner of life. When sick people have fully recovered, they should return to their happier ways, which are all the more fitting for God's servants to the extent that they have fewer needs. Food formerly necessary to remedy their illness should not become a pleasure which enslaves them. They should consider themselves richer since they are now more robust in putting up with privations. For it is better to need less than to have more.

Chapter Four

1. Do not allow your clothing to attract attention; seek to please not by the clothes you wear, but by the life you live.

2. Whenever you leave the house, go together; wherever you are going, stay together.

3. In your walk, posture, all external comportment, do nothing to offend anyone who sees you. Act in a manner worthy of your holy profession.

4. When you see a woman, do not fix your eyes on her or any woman. You are not

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forbidden to see women when you are out of the house. It is wrong, however, to desire women or to wish them to desire you. Lust for women is mutually stimulated not only by tender touches but by sight as well. Make no claim to a pure mind when your eyes are impure; an impure eye is the herald of an impure heart. Unchaste hearts reveal themselves by exchanging glances even without any words; people yield to lust as they delight in their passion for each other. Chastity takes to its heels, even though their bodies remain unsullied by unchaste actions.

5. The man who directs his attention towards a woman and enjoys her similar token of affection should not think others fail to notice this mutual exchange. He is certainly observed even by persons he thinks do not see him. But if his actions escape the notice of men and women, what will he do about the One who keeps watch on high, from whom nothing can be hidden? Is God therefore blind, because he looks on with patience proportionate to his wisdom? The holy man should fear to displease God, lest he desire to please a woman sinfully. So as not to look upon a woman in a sinful manner, let him bear in mind that God sees everything. Fear of the Lord is recommended in this matter too where we read in the Scriptures: 'The Lord abhors a covetous eye.'

6. Mutually safeguard your purity, when you are together in church or wherever women are present. God, who dwells in you, will protect you in his way too by your mutual vigilance.

7. If you notice in any of your number this roving eye referred to above, immediately admonish the individual and correct the matter as soon as possible, in order to curb its progress.

8. If, after this warning, you observe him doing the same thing again or at any other time, whoever happens to discover this must report the offender, as if he were now a wounded person in need of healing. But first, one or two others should be told so that the witness of two or three may lend greater weight and the delinquent thus be convicted and punished with appropriate severity. Do not consider yourselves unkind when you point out such faults. Quite the contrary, are not without fault yourselves when you permit your brothers to perish because of your silence. Were you to point out their misdeeds, correction would at least be possible. If your brother had a bodily wound which he wished to conceal for fear of surgery, would not your silence be cruel and your disclosure merciful? Your obligation to reveal the matter is, therefore, all the greater in order to stem the more harmful infection in the heart.

9. If he neglects to mend his ways after such admonition, he should first be reported to

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the superior, before his behaviour is revealed to others, whose task it is to expose his failing in the event of his denial, so that his misconduct may not somehow be withheld from the others, after he has been corrected privately. But if he denies the charge, then the others are to be summoned without his knowledge so that he can be accused in the presence of all, not by a single witness but by two or three. When convicted, he must submit to the salutary punishment determined by the judgement of the superior, or even that of the priest whose authority embraces such matters. If he refuses to submit to punishment, even if he is determined not to leave, expel him from your society. Even this is not an act of cruelty but of mercy: to prevent the contagion of his life from infecting more people.

10. Diligently and faithfully, then, attend to my words about suggestive glances at women. Such advice holds also for detection, prevention, disclosure, proof, and punishment of other offences, with love for the person and hatred for the sin.

11. Whenever anyone has gone so far in misconduct as to receive secretly from any woman letters or small gifts of any kind, if he confesses the matter freely, pardon him and pray for him. If, however, he is detected and proved guilty, he is to be rather severely corrected according to the judgement of the priest or the superior.

Chapter Five

1. Keep your clothes in one place under the care of one or two, or as many people as may be needed to air them out and prevent damage from moths. Just as a single storeroom furnishes your food, so a single wardrobe should supply your clothing. Pay as little attention as possible to the clothes you receive as the season requires. Whether each of you receives what he had turned in or what was worn by someone else is of little concern, so long as no one is denied what he needs. If arguments and grumbling occur among you, and someone complains that he has received worse clothing than previously and that it is beneath his dignity to be dressed in clothes which another brother was wearing, you thereby demonstrate to yourselves how deficient you are in the holy and interior clothing of the heart, arguing as you do about clothes for the body. Even though one caters to your weakness and you receive the same clothing, you are to keep the clothes you are not wearing at the present time in one place under common supervision.

2. In this way, let no one work for himself alone; all your work shall be for the common

purpose, with greater zeal and more concentrated effort than if each one worked for his private purpose. The Scriptures tell us: 'Love is not self-seeking.' We understand this to mean: the common good takes precedence over the individual good, the individual good yields to the common good. Here again, you will know the extent of your progress as you enlarge your concern for the common interest instead of your own private interest; enduring love will govern all matters pertaining to the fleeting necessities of life.

3. Consequently, whenever anyone brings anything to sons or relations who reside in the monastery, an article of clothing, or anything else that is considered necessary, the gift is not to be pocketed on the sly but given to the superior as common property, so that it can be given to whoever needs it.

4. The washing and cleaning of your clothes may be done in the monastery or at the laundry. The superior decides how often your clothes are to be laundered, lest an inordinate desire for clean clothes inwardly stain your soul.

5. Nor shall the body be denied proper hygienic care as standards for good health require. Do this without grumbling, following the advice of a physician. In the event a brother is unwilling to comply and the superior gives strict orders, he shall do what has to be done for his health. If a brother desires something which is harmful, he ought not to satisfy his desire. Desires are sometimes thought to be salubrious when they are really injurious.

6. Whenever a servant of God says he is not feeling well, take his word without hesitation, even though the source of the pain is not apparent. If uncertainty continues whether or not the remedy he desires would really make him better, consult a physician.

7. Whenever necessity requires a visit to the public baths or any other place, no fewer than two or three should go. When someone has to leave the house, he ought to go with companions designated by the superior, not with persons of his own choosing.

8. Care of the sick, whether the convalescent or those currently ill with any ailment, even though they are not running a temperature, shall be assigned to someone who shall personally obtain from the storeroom whatever he regards necessary for each individual.

9. Those responsible for food, clothing, or books are to serve their brothers without grumbling.

10. Books are to be requested at a definite hour each day; requests made at other times

will be denied.

11. Those responsible for clothes and shoes shall promptly honour the request for either when anyone expresses the need.

Chapter Six

1. Either have no quarrels or put an end to them as quickly as possible, lest anger grow into hatred, make timber of a splinter, and turn the soul into the soul of a murderer.

Thus you read: 'Anyone who hates his brother is a murderer.'

2. Whoever has offended another with insults or harmful words, or even a serious accusation, must remember to right the wrong he has done at the earliest opportunity. The injured must remember to forgive without further bickering. If they have offended each other, they shall mutually forgive their offences for the sake of your prayers. The more frequent your prayers are, the sounder they ought to be. An individual who is prone to anger, yet hastens to beg forgiveness from someone he has consciously harmed, is better than another who is less inclined to anger and less likely to ask pardon. An individual who absolutely refuses to ask pardon, or does so without meaning it, is entirely out of place in the monastery, even if he is not dismissed. Spare yourselves the use of words too harsh. If they have escaped your lips, those same lips should promptly heal the wounds they have caused. Requirements of discipline may compel you to speak harsh words to correct young people. Even if you feel your criticism has been immoderate, you are not obliged to ask their pardon; too much attention to humility in their regard would undermine their ready acceptance of your authority. Instead, ask forgiveness from the Lord of all who knows how generously you love even those you may correct too harshly. Your love for one another ought to be spiritual, not carnal.

Chapter Seven

1. Obey your superior as a father, always with the respect worthy of his position, so as not to offend God in him. Be especially obedient to the priest who bears responsibility for all of you.

2. The superior has the principal task of seeing to it that all these precepts are observed. He should further provide that infractions are not carelessly overlooked but punished and corrected. He must refer matters which exceed his competence and

power to the priest who has greater authority over you.

3. Your superior should regard himself to be fortunate as one who serves you in love, not as one who exercises authority over you. Accord him the first place of honour among you, but in fear before God he shall lie prostrate beneath your feet. Let him be a model of good deeds for everyone; he shall restrain the restless, cheer the fainthearted, support the weak, with patience towards all. He shall willingly embrace discipline and instill fear. While both are necessary, he shall strive, nevertheless, to be loved by you rather than feared, mindful always that he will be accountable to God for you.

4. By being obedient, you manifest more compassion not only for yourselves, but also for him, because the higher position among you is all the more perilous.

Chapter Eight

1. The Lord grant you the grace to observe these precepts with love as lovers of spiritual beauty, exuding the fragrance of Christ by the goodness of your lives; you are no longer slaves under the law, but a people living in freedom under grace.

2. These precepts should be read to you once a week, so that you will see yourselves in this little book as in a mirror and not neglect anything through forgetfulness. When you find yourselves doing what has been written here, thank the Lord, the giver of all good gifts. However, if anyone of you realizes that he has failed on a specific point, let him be sorry for the past, safeguard the future, and continue to pray for his offences to be forgiven, and that he not be led into temptation.

 View More Pages

Get to Know Friars in Formation (<https://dominicanfriars.org/band-of-brothers/>)

Godsplaining Podcast (<https://godsplaining.org/>)

The HillBilly Thomists (<https://www.hillbillythomists.com/>)

Child Protection (<https://opeast.org/about/child-protection/>)

Contact (<https://opeast.org/about/contact/>)

5/18/22, 11:14 AM Case 1:22-cv-03571-PGG Document 72-4 Filed 01/10/24 Page 10 of 10



Dominican Friars Province of St. Joseph
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New York, NY 10065

(212) 737-5757
editor@opeast.org (<mailto:editor@opeast.org>)

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IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

BARBARA ANN HARTKE, an individual)
on her own behalf and on behalf of the Estate)
of decedent Gilbert V. Hartke)
Plaintiff,)
v.) Civil Action No.
BONHAM'S & BUTTERFIELD'S) 1:22-03571
AUCTIONEERS CORPORATION, A)
DELAWARE CORPORATION; THE)
CATHOLIC UNIVERSITY OF AMERICA,)
A NON-PROFIT DISTRICT OF)
COLUMBIA CORPORATION,)
Defendant.)

AFFIDAVIT OF WILLIAM J. SHEPHERD

DISTRICT OF COLUMBIA, TO WIT:

I, William J. Shepherd, am over 18 years of age, competent to testify, and have personal knowledge of the facts set forth herein.

1. I am the University Archivist and Head of Special Collections for the Catholic University of America, and have held this role since 2019.
2. The Special Collections of Catholic University collects, organizes, preserves, makes accessible, and promotes scholarly and public understanding of the records of The Catholic University of America and more generally the documentary and artifactual heritage of the American Catholic people.
3. The Archives of The Catholic University of America collects records, personal papers, photographs, publications, films and videos, and artifacts of permanent value at The

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Catholic University of America while also documenting the history of the Catholic University community.

4. I am familiar with the manner in which the Special Collections of Catholic University records are maintained by virtue of my duties and responsibilities as the University Archivist and Head of Special Collections for the Catholic University of America.

5. I personally reviewed the documents attached as Exhibits A through F.

6. Exhibit A is a copy of the Court Order from the Superior Court of the District of Columbia in the case, The Catholic University of America, et. al. v. Katherine Faith Prior, et. al., docketed February 18, 1988.

7. Exhibit B is a copy of a signed Affidavit of Joseph P. Allen, O.P., filed with the Probate Division of the Superior Court of the District of Columbia in In re Estate of Gilbert v. Hartke, notarized on July 28, 1986.

8. Exhibit C is a copy of the Inventory of the Estate of Gilbert V. Hartke filed by Joseph P. Allen, O.P., personal representative in the Superior Court of the District of Columbia in the Estate of Gilbert Hartke, January 21, 1987.

9. Exhibit D is a copy of the Petition for Probate filed by The College of the Immaculate Conception on behalf of Joseph P. Allen, O.P., dated January 21, 1987.

10. Exhibit E is a copy of a Press Release from Catholic University with a photo, undated.

11. Exhibit F is a copy of the newspaper, "The Tower," March 30, 1973.

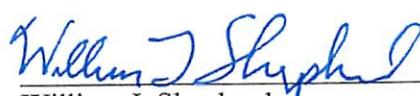
12. Exhibits A through D are copies of court filings that are stored in the Archives at Catholic University. Our records reflect that they were stored in the Archives at Catholic University from November 15, 1995 to the present day.

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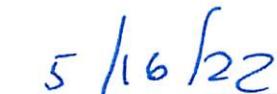
13. Exhibit E is a copy of a photo and accompanying press release donated to the Archives at Catholic University on May 25, 1993 by Mary Jo Santo Pietro, Ph.D., the biographer of Father Gilbert V. Hartke. Our records reflect that this photo and accompanying press release were stored in the Archives at Catholic University since May 25, 1993.

14. Exhibit F is a copy of a newspaper for the Catholic University students, dated March 30, 1973, and our records reflect that the newspaper was held in the Archives at Catholic University continuously since 1973.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT UPON PERSONAL KNOWLEDGE THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT.



William J. Shepherd



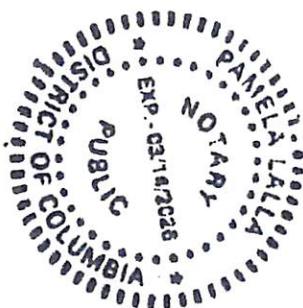
Date

Subscribed and sworn to before me this 16 day of May, 2022.



Notary Public

My commission expires:



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C

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division

THE CATHOLIC UNIVERSITY OF :
AMERICA, et al., :
Plaintiffs, :
v. : C.A. No.: 3675-86
KATHERINE FAITH PRIOR, :
et al., :
Defendants. : FILED

ORDER FEB 16 1988
Unopposed Superior Court
UPON CONSIDERATION of the Motion for Summary Judgment
of plaintiffs and the Opposition, if any, thereto and it
appearing that pursuant to D.C. Adm. No. 1663-86, the Probate
Division of this Court has determined that the plaintiffs are
entitled as a matter of law to the right to publicize the name of
the late Father Gilbert Hartke, O.P., and it further appearing
that plaintiffs have fulfilled the conditions set forth in this
Court's ruling of June 30, 1986, now therefore, it is by the
Court, this 16th day of February, 1988.

ORDERED, that summary judgment be and hereby is entered
in favor of the plaintiffs as to all counts and relief sought in
the Verified Complaint against all defendants herein, and it is

ORDERED, ADJUDGED AND DECLARED, that plaintiff College
of the Immaculate Conception herein is the exclusive owner of the
name of the late Father Gilbert Hartke, O.P., together with the
right to use and exploit the same, and it is

Case 1:22-cv-03571-PGG Document 21-12 Filed 05/18/22 Page 2 of 3

FURTHER ORDERED, that defendants, their agents, servants, employees, and all persons in active concert with them who will receive actual notice of this Order by personal service or otherwise, be and hereby are permanently enjoined and restrained from using, appropriating and publicizing (including but not limited to any fundraising) the name of the late Father Gilbert Hartke, O.P., or other form thereof, now and for all times in the future, and it is

FURTHER ORDERED, that defendants execute a corrective announcement in a form to be provided to them by plaintiffs and that defendants mail at their own expense the corrective announcement to all recipients of previous mailings in which defendants used the name of Father Hartke, and it is

FURTHER ORDERED, that defendants return to plaintiff, Catholic University of America, without themselves retaining any copy or partial copy, the confidential University mailing list which is subject to this litigation, and it is

FURTHER ORDERED, that defendants account to plaintiffs for any and all funds defendants received by virtue of their fundraising in the name of Father Hartke and to that end, this cause is hereby referred to the Office of the Auditor Master of this Court for proceedings consistent with this Order.

Judge C. Holmes Wimfield
Judge C. Holmes Wimfield

Case 1:22-cv-03571-PGG Document 21-12 Filed 05/18/22 Page 3 of 3

cc.: James Sarsfield, Esquire
734 15th Street, N.W.
11th Floor
Washington, D.C. 20005

Katherine Faith Prior
235 Gallatin Street, N.W.
Washington, D.C. 20011

Dance and Music Exchange, Inc.
235 Gallatin Street, N.W.
Washington, D.C. 20011

Case 1:22-cv-03571-PGG Document 21-13 Filed 05/18/22 Page 1 of 3

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Probate Division

In re Estate of

GILBERT V. HARTKE,

Deceased.

Administration No.

1663-86

Clerk of the Probate Division

AFFIDAVIT OF JOSEPH P. ALLEN, O.P.

District of Columbia, ss:

1. Joseph P. Allen, being first duly sworn on oath deposes and states that he is Treasurer of the College of The Immaculate Conception, 487 Michigan Avenue, N.E., Washington, D.C., 20064, a division of the Dominican Fathers of the Province of St. Joseph and authorized to execute this Affidavit.

2. The decedent executed the attached Document of Renunciation of Temporal Goods on August 14, 1933 upon becoming a religious in the Dominican Order. Upon this renunciation he agreed to transfer any future property he might receive to the Dominican Order.

3. The decedent was assigned to the Province of St. Joseph and within that Province to the Convent in the District of Columbia, known as the Dominican House of Studies, which is incorporated as a District of Columbia non-profit corporation as the College of The Immaculate Conception.

4. The decedent held appointment to the faculty of The Catholic University of America for many years. He turned over his salary pursuant to the 1933 Renunciation to the College of The Immaculate Conception.

5. The decedent owned no assets other than the right to publishing his name, having delivered all he came into possession of to The College of The Immaculate Conception. He owed no one any money. The College of The Immaculate Conception is entitled by virtue of the 1933 Renunciation to his right to publicize his name.

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6. The Catholic University of America and The College of The Immaculate Conception filed suit in the Civil Division of the Superior Court of The District of Columbia on May 7, 1986, seeking to enjoin Katherine Faith Prior and The Art and Music Exchange from using the decedent's name in fundraising because the right to publicize the decedent's name belongs to the plaintiffs. On June 30, 1986, Judge von Kann entered the attached Order granting the plaintiffs' Motion for a Preliminary Injunction.

7. The College of The Immaculate Conception is the largest creditor of the decedent and is entitled to file the petition for probate for the administration of his estate. D. C. Code sec.20-303 (a)(1)(J). Since the only property subject to administration is the very property which the College claims there is no reason to appoint one of the decedent's heirs Personal Representative. It is submitted that under D. C. Code sec.20-303(d) that good cause is hereby shown why Joseph P. Allan as agent for the largest creditor should be appointed Personal Representative in lieu of family members. The Civil Division of this Court has directed The College of The Immaculate Conception or The Catholic University of America to initiate a proceeding in the Probate Division to determine if the College is indeed the lawful owner of the right to publicize the name of the decedent.

Joseph P. Allan, O.P.
JOSEPH P. ALLAN, O.P.

Subscribed and sworn to before me a notary public,
D.C., this 28th day of July, 1986.

Jena M. Reid
Notary Public, D.C.

My Commission Expires:

Case 1:22-cv-03571-PGG Document 21-13 Filed 05/18/22 Page 3 of 3

DOCUMENT OF RENUNCIATION OF
TEMPORAL GOODS

Know all men by these presents that I,

...B. ethan Vincent Ferrer Murphy H. H. O. P.
otherwise known as, ...G. ilbert F. H.
of Somerset....., in the county of ...Penns....,
and State of ...Ohio.....

IN CONSIDERATION OF the laws of the Roman Catholic Church concerning the renunciation of all goods and possessions of a member of a religious community about to make solemn profession, acknowledged by said Roman Catholic Church (Codex Juris Can. 581)

FIRST: Do hereby renounce all the temporal goods that I am now actually possessed or seized of (in the certain hope of acquiring) which consists of ...insurance. & life.
...furniture, ...etc. thousand dollars.
...mortgage, ...at the ...year. 1995 A.D.
...Estate of my Father.....
...Estates of J. P. Giffen and W. A. Alexander.
and cede them to ...Ms. F. m. A. H. H. of Chicago.
...in prob. ...in the state of Illinois:....

SECOND: Do hereby declare that by the act of making my solemn profession, I do render myself incapable of possessing temporal goods as my own or of using them with a private right, so that any contrary act, i.e., any act of receiving, retaining, selling, giving, exchanging, profiting etc., on my own authority is an act that is null and void.

THIRD: Do declare that after solemn profession all goods which may in anyway accrue to me individually belong to the Order to be given to the Province or to the Convent according as declared in the Constitutions of the Dominican Order nn. 1189 and 1090, respectively.

IN WITNESS WHEREOF I have hereto subscribed my name this ...14th..... day of ..August....., in the year of Our Lord, 1933

Witnesses: (Signature)
Bro. Martin Murphy & Vincent Ferrer Hartke, O.P.
Bro. Leonard Greeley O.P.

Case 1:22-cv-03571-PGG Document 21-14 Filed 05/18/22 Page 1 of 3

INVENTORY (SUMMARY)

WASHINGTON LAW REPORTER FORM 608A
1625 Eye Street, N.W., Washington, D.C. 20006

Superior Court of the District of Columbia

PROBATE DIVISION

Estate of

Administration No. 1663-86GILBERT V. HARTKE

Decedent

Date of Death February 21, 1986

Date of appointment of Personal

Representative October 28, 1986

INVENTORY (SUMMARY)

<u>Schedule</u>	<u>Type of Property</u>	<u>Appraised Value</u>
A	Real Property in the District of Columbia	\$ <u>0</u>
B	Tangible Personal.....	<u>0</u>
C	Corporate Stocks	<u>0</u>
D	Bonds, Notes, Mortgages, Debts due to Decedent	<u>0</u>
E	Bank Accounts, Building Association Shares, Savings & Loan Accounts, Cash	<u>0</u>
F	Debts Owed to the Decedent by the Personal Representative.....	<u>0</u>
G	All Other Interests.....	Value <u>Not Ascertainabl</u>
	Total	Value <u>\$ Not Ascertainabl</u>

INSTRUCTIONS: Complete summary page and complete and attach pertinent schedules. A separate page shall be used for each schedule. See D.C. Code §20-711 and 712.

VERIFICATION

I do solemnly declare and affirm under penalty of law that the contents of this inventory are true and correct to the best of my knowledge, information and belief; that it has been prepared by me or under my direction and is to the best of my knowledge a complete inventory of all of the estate of the above-named decedent, made in good faith pursuant to District of Columbia law.

JOSEPH P. ALLEN, O.P.

Personal Representative(s)

CERTIFICATE

There has been mailed or delivered to all interested persons, within the fifteen days prior to the filing of this inventory, a copy of the inventory or a Notice that it would be filed on or before a stated date.

Date JANUARY 21 1987NICHOLAS D. WARD

Personal Representative(s) or Attorney(s)

REVERSE SIDE OF THIS FORM MUST BE COMPLETED

Case 1:22-cv-03571-PGG Document 21-14 Filed 05/18/22 Page 2 of 3

VERIFICATION AND CERTIFICATE
(Pursuant to SCR-PD 103(b)(3))

I do solemnly declare and affirm that I have mailed or caused to be mailed a copy of the Notice of Appointment and General Information Statement as required in D.C. Code §20-704(a) and (b) on the 14TH day of NOVEMBER 19 86, to the following persons:

Names and addresses of all heirs and legatees

<u>Name</u>	<u>Address</u>
Mr. Charles A. Whittingham 11 Woodmill Road Chappaqua, New York 10514	Mrs. Rita Stauffacher 3216 Moorland Avenue Racine, Wisconsin 53405
Mr. Richard Whittingham 1115 Lake Street Wilmette, Illinois 60091	Mr. Robert Kuipers 1206 Glendenning Wilmette, Illinois 60091
Miss Bernice Hartke c/o Richard Whittingham 1115 Lake Street Wilmette, Illinois 60091	Mrs. Lillian Lehman 2045 Greenwood Avenue Wilmette, Illinois 60091
Mrs. Virginia Raleigh 17127 Beechwood Birmingham, Michigan 48009	Mrs. Mary Jane Hasbrook 5250 Hawks Point Road Indianapolis, Indiana 46226
Mrs. Joan Maddox 601 Forest Wilmette, Illinois 60091	Ms. Katherine Faith Prior 235 Gallatin Street, N.W. Washington, D.C. 20011
Mrs. Jean McIlhenney 5 Driftwood Way Gibbsboro, New Jersey 08026	The Art & Music Exchange 235 Gallatin Street, N.W. Washington, D.C. 20011
Mrs. Mary Lou Carper 6813 Widgeon Drive Midland, Georgia 31820	
Ms. Betty Ann Sutton 9537 South Pointe La Salle Drive Bloomington, Indiana 47401	
Mrs. Inez Beucher 1420 Sheridan Road Wilmette, Illinois 60091	

I do further solemnly declare and affirm that I have previously filed or file herewith Proofs of Publication as required by SCR-PD 103(b)(3).

Joseph P. Allen, O.P.
JOSEPH P. ALLEN, O.P.

Personal Representative(s)

Dated JANUARY 21 1987

Attorney NICHOLAS D. WARD

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INVENTORY SCHEDULE

WASHINGTON LAW REPORTER 1986
1625 Eye Street, N.W., Washington, D.C. 20006

Superior Court of the District of Columbia**PROBATE DIVISION**

Estate of

GILBERT V. HARTKEAdministration No. 1663-86

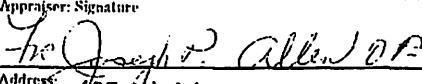
Deceased

INVENTORY SCHEDULE (G)

<u>Item No.</u>	<u>Description</u>	<u>Value</u>
	The right to publicize the decedent's name, reference Paragraph Six of Order entered June 30, 1986 in <u>The Catholic University of America, et al v. Katherine Faith Prior, et al</u> Superior Court of District of Columbia Civil Action #3675-86.	\$ Value Not Ascertainable

APPRAISER'S VERIFICATION

The hereinabove-described property has been impartially appraised by me to the best of my skill and judgment and constitutes all of the property of the named decedent of the type encompassed by this schedule of which I have knowledge and with the appraisal of which I have been charged.

Appraiser: Print Name
JOSEPH P. ALLEN, O.P.
Appraiser: Signature

Address: 487 Michigan Avenue, N.E. Washington, D.C. 20017

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WFOR PROBATE

WASHINGTON LAW REPORTER FORM 600
1625 K, N.W., Washington, D.C. 20006

Superior Court of the District of Columbia

PROBATE DIVISION

Estate of

Gilbert V. Hartke

Administration No. _____

Deceased

PETITION FOR PROBATE

The petition of:

The College of the Immaculate
 Name _____ Age _____
 Conception _____

487 Michigan Avenue, N.E.
 Address _____
 Washington, D.C. 20017

On behalf of Joseph P. Allen
 hereinafter "petitioner" being a citizen of the United States or a lawfully admitted permanent resident thereof, of legal age, and not otherwise excluded from acting as personal representative pursuant to D.C. Code §20-303(b), shows:

1. The Reverend Gilbert V. Hartke, O.P., the decedent, a domiciliary of

The District of Columbia residing at 487 Michigan Avenue, N.E., Washington, D.C. 20017

died at Georgetown University Hospital on February 21, 1986.

Decedent died ~~with~~ (without) a will.

2. Petitioner is entitled to be appointed personal representative of the decedent's estate under D.C. Code §20-303 for the following reasons:
 It is the largest creditor of the decedent (see attached) Affidavit of Joseph P. Allen

3. This Court has jurisdiction in this matter because The decedent was a resident of the District of Columbia.

4. There are no other proceedings regarding the administration of the decedent's estate except None.

5. On page 3 hereof (a) the character, location and estimated value of the decedent's real and personal property, and (b) the total estimated debts, funeral expenses of the decedent, and an estimate of the District of Columbia inheritance taxes.

6. On page 2 hereof the names and addresses of all interested persons as defined in D.C. Code §20-101(d), and the names of witnesses to any will and codicil offered for probate.

7. The petitioner has made a diligent search for wills and codicils of the decedent and, to the best knowledge of the petitioner, the will dated None and codicil(s) dated None

accompanying this petition (is) (are) the decedent's last will, and petitioner knows of no later will or codicil, and said will and codicil(s) came into petitioner's hands in the following manner (none exists): None exists

8. All information required pursuant to D.C. Code §20-304(a) has been furnished except None

because Joseph P. Allen him

WHEREFORE, the petitioner prays that letters be granted to ~~petitioner~~ appointing ~~petitioner~~/personal representative(s) of the decedent's estate, and that the will dated None and codicil(s) dated None

Joseph P. Allen be admitted to (abbreviated) ~~standard~~ probate, and that the following additional relief be granted: ~~petitioner~~ be permitted to serve under nominal bond.

DECLARATION OF PETITIONER

I do hereby solemnly declare and affirm under the penalty of law that the contents of the foregoing petition are true and correct to the best of my knowledge, information and belief.

The College of the Immaculate Conception
 by Joseph P. Allen, O.P.
 Treasurer

[Signature]
 Signature of Attorney for Petitioner

Nicholas D. Ward

Typed Name of Attorney for Petitioner
 888 17th Street, N.W. (Ste. 1902)
 Washington, D.C. 20006
 Attorney's Address

Signature of Petitioner
 Joseph P. Allen, O.P.

Signature of Petitioner

Telephone No.

#13540

Active Unified Bar No.

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-2-

LIST OF INTERESTED PERSONS* (D.C. Code §20-101(d))

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>
Catherine Faith Prior	235 Gallatin Street, N.W. Washington, D. C. 20011	Paragraph Six of June 30, 1986 Order in CA 3675-86
The Art and Music Exchange	235 Gallatin Street, N.W. Washington, D. C. 20011	Paragraph Six of June 30, 1986 Order in CA 3675-86

(See attached list)

*If under age 18 or otherwise legally disabled, also list guardian or custodian pursuant to D.C. Code §20-101(d)(2)(A)

WITNESSES TO WILL (NAME)

None

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Character, Location and Estimated Value of Decedent's Property.

<u>Character</u>	<u>Location</u>	<u>Estimated Value</u>
REAL PROPERTY None		

PERSONAL PROPERTY

The right to publicize the decedent's name, reference paragraph six of order entered June 30, 1986 in The Catholic University of America et al v. Katherine Faith Prior, et al Superior Court of District of Columbia Civil Action #3675-86.

Washington, D. C.

Not Ascertainable

5b. Debts, Funeral Expenses, Inheritance taxes.

Debts secured

None

Debts-unsecured

None

Funeral expenses

None

Inheritance taxes (only on personal property under control of personal representative)

None

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-4-

ACCEPTANCE AND CONSENT OF EACH PERSONAL REPRESENTATIVE

I do hereby accept the duties of the office of personal representative of the estate of Gilbert V. Hartke, deceased, and consent to personal jurisdiction in any action brought in the District of Columbia against me as personal representative or arising out of the duties of the office of personal representative pursuant to D.C. Code §20-501.

Fr. Joseph P. Allen, O.P.
Joseph P. Allan

POWER OF ATTORNEY
(TO BE EXECUTED BY EACH NON-RESIDENT PERSONAL REPRESENTATIVE)

Pursuant to D.C. Code §20-303(b)(7), I do hereby irrevocably appoint the Register and successors in office as the person upon whom all notices and process issued by a competent court in the District of Columbia may be served with the same effect as personal service in relation to all suits or matters pertaining to the estate in which the letters are to issue.

Name _____
Address _____

Name _____

Address _____

Superior Court of the District of Columbia

PROBATE DIVISION

Estate of

Gilbert V. Hartke

Administration No. _____

Deceased

ABBREVIATED PROBATE ORDER

Upon consideration of the foregoing petition, the acceptance and consent of each personal representative, a power of attorney by each non-resident, and an appropriate bond, all having been filed herein, it is this _____ day of July, 1986,

ORDERED that the bond heretofore filed is approved, and Joseph P. Allen

Gilbert V. Hartke _____ (is) (are) appointed personal representative(s) of the estate of _____ deceased, and it is further
ORDERED that the will dated None _____ and codicil(s) dated None _____
accompanying the foregoing petition (is) (are) admitted to probate as the last

JUDGE

COPIES TO:

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ATTACHMENT TO PETITION FOR INTESTATE,
 SUPERIOR COURT, DISTRICT OF COLUMBIA
 ESTATE OF GILBERT V. HARTKE
 JOSEPH P. ALLEN, O.P., PETITIONER

Mr. Charles A. Whittingham 11 Woodmill Road Chappaqua, New York 10514	Nephew
Mr. Richard Whittingham 1115 Lake Street Wilmette, Illinois 60091	Nephew
Miss Bernice Hartke c/o Richard Whittingham 1115 Lake Street Wilmette, Illinois 60091	Sister
Mrs. Virginia Raleigh 17127 Beechwood Birmingham, Michigan 48009	Niece
Mrs. Joan Maddox 601 Forest Wilmette, Illinois 60091	Niece
Mrs. Jean McIlhenney 15 Driftwood Way Gibbsboro, New Jersey	Niece
Mrs. Mary Lou Carper 6813 Widgeon Drive Midland, Georgia 31820	Niece
Betty Ann Sutton 9537 South Pointe La Salle Drive Bloomington, Indiana 47401	Niece
Mrs. Inez Beucher 1420 Sheridan Road Wilmette, Illinois 60091	Niece
Mrs. Rita Stauffacher 3216 Moorland Avenue Racine, Wisconsin 53405	Niece
Mr. Robert Kuipers 1206 Glendenning Wilmette, Illinois 60091	Nephew
Mrs. Lillian Lehman 2045 Greenwood Avenue Wilmette, Illinois 60091	Niece
Mrs. Barbara Hartke 1450 N. Astor Chicago, Illinois 60610	Wife of deceased nephew
Mrs. Mary Jane Hasbrook 5250 Hawks Point Road Indianapolis, Indiana 46226	Niece

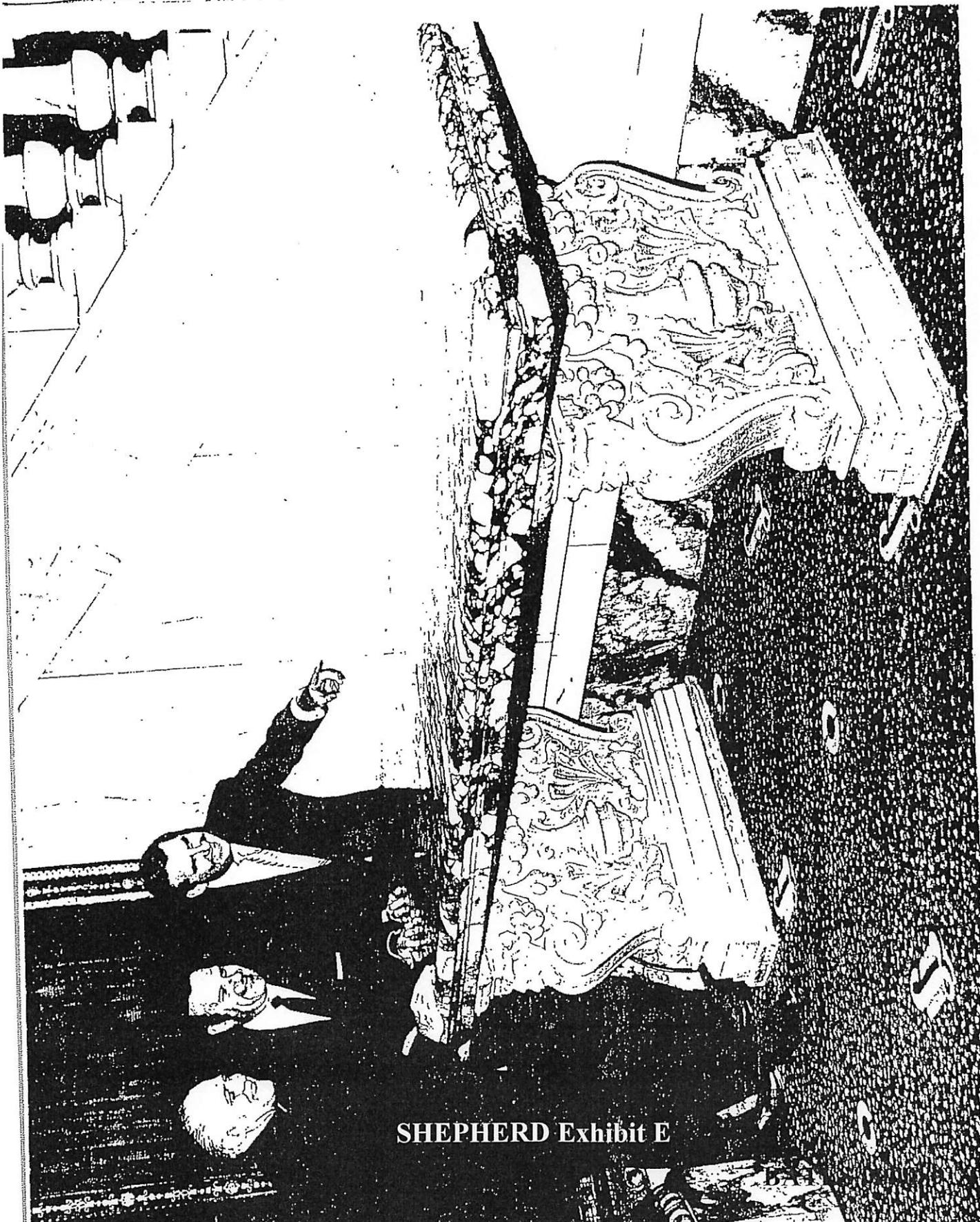
Case 1:22-cv-03571-PGG Document 21-16 Filed 05/18/22 Page 1 of 2

THE ORNATE TABLE THAT HAS DECORATED THE CAPITOL THEATRE LOBBY SINCE IT WAS OPENED IN 1919 IS BEING GIVEN BY THE LOEW'S ORGANIZATION TO FATHER HARTKE TO SERVE AS AN ALTAR IN THE CHAPEL THAT WILL BE INCLUDED IN THE NEW CENTER FOR THE COMMUNICATION ARTS AT THE UNIVERSITY. A BENEFIT PERFORMANCE TO RAISE FUNDS FOR THE \$3 MILLION CENTER WILL BE HELD SEPT. 16 AT THE CAPITOL THEATRE, HERE IN NEW YORK CITY.

SHOWN LEFT TO RIGHT ARE: REV. GILBERT V. HARTKE, O.P. HEAD OF THE DEPARTMENT OF SPEECH AND DRAMA, THE CATHOLIC UNIVERSITY OF AMERICA, WASHINGTON, D.C.; PRESTON ROBERT TISCH, CHAIRMAN OF THE EXECUTIVE COMMITTEE OF LOEW'S THEATRES INC.; ED McMAHON, TV PERSONALITY AND PRESIDENT OF THE UNIVERSITY'S ALUMNI ASSOCIATION.

FOR: CENTER FOR COMMUNICATION ARTS
AT THE CATHOLIC UNIVERSITY OF AMERICA
WASHINGTON, D.C.

CONTACT: AMBROSE WALSH
212-867-0267



SHEPHERD Exhibit E

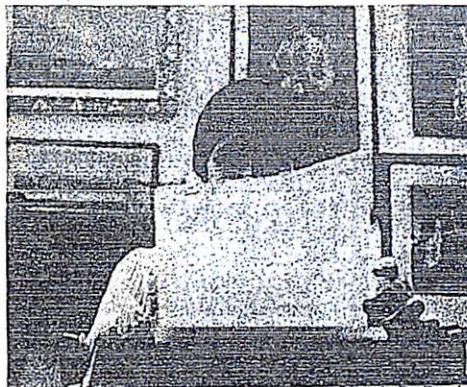


Photo by Pat Donohue

STUDY AND ELEGANCE combine harmoniously in the Oliveira Lima Library located in the basement of Mullen. The library has material dealing mainly with the culture of the Luso-Brazilian world. Recently, the Friends of the Library presented a concert by Brazilian pianist, Ney Salgado.

Library recital promotes good will

The Friends of the Oliveira Lima Library presented Ney Salgado, Brazilian pianist, in concert at the Hartke Theatre on March 16. The

concert was by invitation only and a black tie affair. A reception followed in Mullen Library with musical entertainment and refreshments.

Dr. Manoel Cardozo, the library curator, explained that the affair did more to promote "good will" on campus than to succeed in its stated goal of raising money.

The tickets were \$25 per couple, and contributors and donors were listed on the program.

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For more information on the Dominican Sisters of the Sick Poor write to:

Sister Marguerite Mitchell,
Vocation Director
Room 106
Mariamvale, Ossining,
New York 10562

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Newsbriefs

Committee to accept nominations

• The Search Committee for the next dean of the College of Arts and Sciences invites members of the student body and faculty to submit names of individuals they believe to be qualified for the deanship, whether on campus or off.

In the case of off campus names information about present affiliation and supporting material is requested. Names suggested will be held in confidence. Send suggestions to Professor Ralph J. Rohner, Room 209C, Law School by April 6, 1973.

• A Student Resource Survey questionnaire is being given to undergraduates during pre-registration. The results will be used by the University to determine how students meet their college budgets while faced with rising costs.

• The Gamma Gasser will be held tonight in the Upstairs Social Center

from 9 p.m. to 1 a.m. A live band will be featured as well as "all the beer you can drink." Admission is \$3.50 per couple and \$3 for those who bring a blanket. It is the last event of WERM week and guys may attend only as guests of girls.

• A multi-media presentation sponsored by FAC will be held tomorrow night at 8 p.m. in the Nursing Auditorium. It is entitled, "A Festival of Mad Doctors" and "Cinema of the Fantastic." Chris Steinbrunner, author of "Cinema of the Fantastic" and film programmer of WOR-TV in New York, will also be featured. Admission is free.

• "Reefer Madness" plus "Martian Space Party" will be presented tonight at 7 and 9 p.m. On Sunday at 8 p.m., the "Trial Of The Catonsville Nine" will be shown. All shows are in Nursing Auditorium and admission is \$1.

• A poetry contest for undergraduates is being sponsored by the English department. One or more poems may be submitted with no restrictions on length. A cash prize of \$25 will be given to the winner. Details are available at the English department office, 306 Caldwell

Hall.

• "The Boys From Syracuse" will be presented in the Main Hall at Trinity Auditorium on April 6 and 7 at 8:30 p.m. Tickets are \$1 for students, \$2 for adults. Proceeds will be donated to a foundation for Vietnamese orphans.

• The CITY program of community-based learning in which students receive six credits for work in the community, is registering students for the Fall semester. A CITY representative will be outside room 109 McMahon Hall on Tuesdays and Wednesdays from 10 a.m. to 2 p.m. during pre-registration (through April 19). The program fulfills behavioral science and humanities requirements.

• The Head for the Hills program sponsored by Greenbelt Park, Md. will present a slide program on Wed., Apr. 4 at 8 p.m. in the lower Conaty lounge. It is in conjunction with resident hall programming.

• Stravinsky, Gabriele, and Schoenberg are a few of the composers who will be featured in a concert by the University Percussion and Wind Ensemble on Thurs., Apr. 5 at 8 p.m. in Newton Theatre. Admission is free.

Benefit book sale held to refill Mullen shelves

Books will be on hand for browsing through and buying at the library benefit book sale to be held April 2-6 from 10 a.m. to 5 p.m. The sale will take place on the ground floor of Mullen Library in Room 17.

The proceeds will be used for book replacement, according to Miss Rosabelle Kelp, librarian in charge of the sale. She further explained, "The idea of a book sale was initiated by Mr. Lloyd F. Wagner director of the library, in order that the supply of books could be increased."

Books which are to be sold were donated by students, library staff, faculty, and other friends of the library, according to Kelp. She continued, "The response was great. There are five rooms filled with books and every subject area imaginable is represented."

Discussing the economics of the situation, Kelp stated, "The prices start as low as ten cents." She added, "On the last day of the sale, there will probably be a half price sale."

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JOB OPPORTUNITIES

USG Food Committee announces that in September 1973, Delta Management Corporation will manage the food service at Catholic University. To staff this operation, Delta will be employing persons in all categories of food service employment. Delta offers competitive wages and fringe benefits.

Interested individuals should contact Mrs. Joyce Kaiser, University Food Service Supervisor, for an application (ext. 5507, Room 112B, Administration Building). Representatives of Delta will be on campus for interviews in June.

March 30, 1973

TOWER

Page 3

Consortium legal program uses limited practice to train lawyers

by Nancy Moore

In the face of a growing need for legal services for the poor, as well as more interesting third-year courses, clinical legal education is being recognized across the country as a viable solution to both. In 1969 when the Court of General Sessions (now the Superior Court of the District of Columbia) passed a rule allowing third-year students to engage in the limited practice of law, the Consortium of Universities quickly acted to establish a clinical program to take advantage of the new rule. Since that time, the program has been so well-received that the number of participants has more than tripled.

In the D.C. Law Students in Court program, approximately 70 third-year students are currently representing indigent clients in the Civil Division of the Superior Court. These students, prepared for their work by intensive weekly seminars taught by Gerald Green, former Neighborhood Legal Services attorney, go to court one day a week to be assigned cases.

The students, with the help of investigators, if necessary, do all their own preparation for trial, such as interviewing clients, writing and filing motions, arguing those motions, dealing with the opposing attorney, going to trial, etc. They are the attorneys of record in the cases they handle.

They are supervised in court by Dudley Williams, Executive Director of the Program and an experienced attorney. The cases handled include suits for possession,

suits for nonpayment, and small claims actions, among others.

Besides the civil work, a Criminal Justice Division was initiated in September 1972. Students in this Division represent indigents accused of misdemeanors such as disorderly conduct (including demonstrators), soliciting for prostitution, failure to register firearms, possession of marijuana, carrying deadly weapons, petty larceny, and simple assault.

There are presently twenty students enrolled in the Criminal Justice Division. The academic component of the course consists of a two-part seminar held on Monday evenings and Saturday mornings, team-taught by Robert St. John Reyer, Deputy Director of the Program and previously a private practitioner; Ann Durso, Assistant United States Attorney; and Mike Fayad, Public Defender Service Attorney.

Before appearing in court, the students are required to read and brief several hundred cases, as well as research and prepare motions in mock case situations, the course is demanding, and requires more time and work than its three credits per semester would indicate. Next year audio-visual equipment will be used to enhance the class work.

In addition, the students hear such guest speakers as judges and prosecutors, including a showing of the film version of the official report of the New York State Special Commission on Attica.

Board plan . . .

(Continued from Page 1)

convince the University to accept new contract bids. Letters inviting companies to bid were mailed in late January and early February. Companies were given pertinent information about the University and facilities and were requested to submit their bids by March 1.

A selection committee headed by Dr. Leroy Fullerton, University business manager, listened to bids between Feb. 27 and March 8. Each company presented its case in a session lasting approximately two hours.

The seven other companies which presented bids on the contract are Action One, ARA, Broughton Food, Catering Management, Macke, Marriott, and Saga.

The committee reached its decision on Tuesday, March 13, in time to inform students about next year's board policies before spring break.

Delta, which presently serves

Duquesne, Brandywine, and Villanova universities, will offer a 21-meal plan and a 15-meal plan (three meals a day, Monday through Friday). Seconds will be unlimited. The Rathskeller will open at 7 a.m. for breakfast and remain open all day.

Food prices will be equal or comparable to those presently in effect. Because of this, a mandatory board plan for sophomores, which was once under consideration, will not be necessary.

Selection committee members were Fullerton; Kaiser; Guttenberg; John Duncan, SCA; Terry Smegelsky and Joe Kenny, food committee co-chairmen; Tom Fehter, sophomore class president; and Allen Siciliano, graduate student representative.

Kaiser said, "I feel that it was very advantageous to have students sit in on the contract negotiations because they were able to ask questions I never would have thought of. They chose the food company."

A charter member of the Criminal Justice Division, Ken Trombly of the University praises the Program, feeling that "one hour in the court is worth twenty in the classroom."

Many legal educators and jurists are convinced that clinical legal training is the way of the future and should be available to all law students.

Second-year students who have had Evidence, Civil Procedure and Criminal Procedure and are interested in participating in the D.C. Law Students in Court Program should contact Professor Roger Wolf, who is a member of the Board of Directors, or call the office at 638-4798 for more information regarding the Civil Division or 638-1353 for the Criminal Justice Division. Applications are now being accepted for enrollment in the fall.

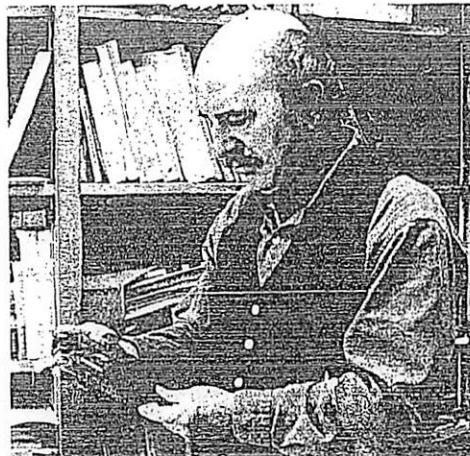


Photo by Mike O'Leary
DR. MICHAEL KENNY recently, in connection with his course of Magic, Witchcraft and Religion, conducted different experiments in psycho-kinesis and ESP. Since the conception of the course, only three years ago, the interest in it, as indicated by the enrollment, has increased tremendously.

Course explores psychic powers

Recently, an experiment was held in the "Magic, Witchcraft, and Religion" course taught by Dr. Michael Kenny, anthropology professor, to determine if different kinds of impersonal powers exist. This involved psycho-kinesis, ESP and the charismatic image of John F. Kennedy.

Interest in this course has grown immensely since the course was first introduced three years ago. At that time, there were 18 students in the course. Now approximately 80 students ranging from juniors to graduate students are involved.

Emphasis in this course is on belief systems around the world. "Little traditions are focused upon in the hope that people will think about other cultures. A small religious celebration in a remote area receives just as much attention as the mass or any other international idea." According to Kenny, the "need not to be ethnocentric or sociocentric or ideocentric" is one of the most important concerns of the course.

In the first step of the class experiment, the law of probability

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